

**Carmel Advisory Board of Zoning Appeals
Hearing Officer
Tuesday, July 5, 2005**

The meeting was held at 5:30 p.m. in the Caucus Rooms of City Hall, Carmel, Indiana, on Tuesday, July 5, 2005. The Hearing Officer was James R. Hawkins.

Department of Community Services staff member in attendance was Angelina Conn. Also present was John Molitor, BZA Attorney.

C. No reports

D. Public Hearing:

1d. Nathan Hawkins Addition, lot 1

The applicant seeks the following development standards variance:

Docket No. 05060028 V ZO Chapter 23D.03.A.1.b(iii) 5-ft side yard setback

The site is located at 110 N Range Line Rd and is zoned B-1/Business within the Old Town- Range Line Rd Sub-area. Filed by Dr. Poer.

Present is the petitioner: Dr. Poer: requested a variance for a 180 square foot storage shed for the purpose of storing lawn maintenance equipment and to secure that same equipment and protect it from the elements to maintain that same property as well as to just dress up the appearance of the property itself of the clutter that currently exists from that equipment. We're within that 5 foot setback on the side yard and it is within that 5 feet just due to an accessibility ramp on the north side of the building. That same location is the only logical spot for our utility shed to be placed. We have gone through efforts to try to design a shed that would be unlike something that you would buy at a local home improvement or hardware store, but something that would emulate that time period. I researched that by going downtown near Northside looking at some of the carriage houses that were there and to make something that was appropriate for that time that would look like it was of that period would have to have a certain dimension and the dimension that would be required to not violate that 5 foot set back would just be rather peculiar in appearance because of that disability access ramp that only allows 11 feet on that portion of the property.

Members of the public were invited to speak.

No members of the public appeared to speak in opposition.

The Public Hearing was closed.

Mr. Hawkins **APPROVED** docket No. **05060028 V**.

2-4d. Meridian Mark I & II

The applicant seeks the following development standards variances:

Docket No. 05060030 V	ZO Chapter 25.07: Sign Chart C	address number height
Docket No. 05060031 V	ZO Chapter 25.07.02-10.b	transfer of wall signs
Docket No. 05060032 V	ZO Chapter 25.07.02-10.b	# wall signs on north building
Docket No. 05060033 V	ZO Chapter 25.07.02-11.b	transfer of ground ID sign to US 31

The site is located at 11611 & 11711 N Meridian and is zoned B-3 & B-6/Business within the US 31 Overlay. Filed by Steve Granner of Bose McKinney & Evans, LLP.

Present for the petitioner: Mr. Steve Granner: zoning consultant with offices of 600 East 96th Street, Suite 500, here tonight representing Zeller Realty. With me is Kristen Glover from Zeller, who will be answering questions that you might have. What we're attempting to do between the variance we filed and the ADLS petition we filed is to establish a sign package program of Meridian Mark I and Meridian Mark II, the two eight story office buildings at the northeast corner of Meridian and 116th St. Similar to what has been done for other buildings up and down the corridor and even along 465 there in the overlay district in Parkwood Crossing. In order to accomplish that, we need to get certain variances, as you have indicated. If you will look at Tab #7 in your book, we will talk about that sign first. That's an existing sign that exists on the Pennsylvania Street frontage. What we are wanting to do is to take everything off on that sign, clean it up and put the lettering as shown on this exhibit on Tab #7 on the sign, all the lettering from Meridian Mark and the names comply with the square footage requirement. What we need is the variance for is the numeral height of the numbers proposed to be 12" high for the address and the ordinance would only allow 3.5 inch high letters, which we don't think would be large enough for drivers to see easily. So that's the only variance that we need on that particular sign. There was some discrepancy on the one summary of the sign sizes that we filed, we said that the existing height of that sign is 6 feet. As you can see on the elevation that the sign company submitted they said it was 6 ft 3 in. On the way here, I went out and re-measured the sign and the sign on the right hand side as you look at it does measure 6 ft 3 in. The sign on the left hand side as you look at measures 5 ft 9 in. Some were in-between that hit 6 ft. So depending on where you measure it, it's 6 ft tall. I think the 3 inch difference on the east end could be handled by some additional mulch around the planting bed. If you'll look at the second page on Tab B, you'll notice that that sign is extensively landscaped with mulch planting beds in front of it, so it doesn't appear to be as tall as it really is anyway because of that. Do you want to handle these one at a time or go through them all?

Mr. Hawkins: "Yes, go through all of them. That would be great."

Mr. Granner: Let me hand you the ballots and the findings for each one. The second variance that we're asking for is to switch some square footages permitted from one street to another around. On Meridian Mark I has three frontages, Pennsylvania, 116th and Meridian. The building's shaped kinda' funny. It really has kinda' three facades that face the intersection on 116th and Penn. If you look on Tab 5, the first page shows you the south façade there on the right and what I call the southwest façade

there on the left that faces the intersection and then on the second page there is Exhibit B2 is the small façade that faces immediately west on Meridian. Those are the three facades that we would like to variance. The south façade and the west façade is permitted the sign. What we're basically doing is moving the sign from the Pennsylvania Street frontage to that southwest façade on that building. And then on the north building Meridian Mark II has frontage on 31 and Pennsylvania. That's another 8 story building. It's permitted two signs. One on Pennsylvania and one on Meridian. The second part of the second variance is to transfer the rights to the Pennsylvania Street sign to one of the proposed locations on either of the north/south or west façade. That kinda' ties in with the third variance in that we're asking for a third sign for this building so that both buildings, both 8 story buildings can have three signs. The ordinance is set up so that if you were at 2 story, 40,000 sq ft building with three frontages, you could have three signs, but if you're an 8 story building and you have three frontages you still only get the three signs even though the signs are a hundred feet higher in the air. I think the Penn Mark buildings to the south, Penn Mark III recently received a variance and it's only a two story building with three signs and I think it's actually connected to a Penn Mark II, so it's really not even a separate building. So we're just trying to remain competitive in the area and have signs, we think, that are appropriate for both buildings. The second variance is the transfer of the Pennsylvania Street rights to other facades. The third variance is to allow a third sign for the second building. As a part of that package we are showing only three proposed locations on Meridian Mark II, which is the south building. We're showing a potential of five locations on the north building, Meridian Mark II. One on the north façade and one on the south façade and three potential locations on the west façade, but we stated that in no event would there be more than two signs on the west façade. So if you have two on the west you could either have one on the south, which is the one that currently has a sign or one on the north that currently doesn't have a sign, or you could have one on the west and you could have one on the north and one on the south. We've submitted a sign program with sign criteria, which is in Tab 4, which details all the requirements that the tenant has for approval and what the sign will look like. They'll all be the same. All the wall signs will be 5 in deep polished gold, anodized aluminum. There'll be halo lighting. The type of neon to be used is specified. So all the signs color wise, lighting wise, will all be the same. And then the fourth variance deals with the sign, the new ground identification sign in Tab 6, the sign is permitted three of these type signs. Currently there is no such sign on the Pennsylvania Street frontage. So this variance would transfer the rights for that sign up basically in front of Meridian Mark II along U.S. 31. The driving force, quick frankly, is that the Sunrise Café, which had been located for a number of years at the free-standing building at the southwest corner of 116th and Meridian lost their building there, so they're moving up to Meridian Mark II and they've enjoyed, in the past, i.d. signage in the previous location and it's important for them to have similar identification at this new location. So this new sign would allow that. This sign, height-wise, is shorter than what's permitted along Meridian. If Meridian Street frontage would permit 8 ft when we met with staff before we started, they wanted to keep it closer to the 6 ft that the Pennsylvania Street frontage would allow. We're showing 6 ft 3 in. The area of the lettering is well within what's permitted by the ordinance. The ordinance would permit 100 sq ft and we're short of 62 sq ft.

So those are the four variances we've submitted findings and facts to support our requests and we'll be more than happy to answer any questions that you might have.

Members of the public were invited to speak.

No members of the public appeared to speak in opposition.

Mr. Hawkins **APPROVED Docket No. 05060030 V, Docket No. 05060031 V, Docket No. 05060032 V, Docket No. 05060033 V**

The Public Hearing was closed.

E. Old Business

There was no Old Business.

F. New Business

There was no New Business.

G. Adjourn

The meeting was adjourned at 5:55 p.m.

James Hawkins, Hearing Officer

Angelina Conn, Planning Administrator